

**58-37c-19.5 Iodine solution greater than 1.5% -- Prescription or permit required -- Penalties.**

- (1) As used in this section, "iodine matrix" means iodine at concentrations greater than 1.5% by weight in a matrix or solution.
- (2) A person may offer to sell, sell, or distribute an iodine matrix only:
  - (a) as a prescription drug, pursuant to a prescription issued by a veterinarian or physician licensed within the state; or
  - (b) to a person who is actively engaged in the legal practice of animal husbandry of livestock, as defined in Section 4-1-8.
- (3) Prescriptions issued under this section:
  - (a) shall provide for a specified number of refills;
  - (b) may be issued by electronic means, in accordance with Title 58, Chapter 17b, Pharmacy Practice Act; and
  - (c) may be filled by a person other than the veterinarian or physician issuing the prescription.
- (4) A retailer offering iodine matrix for sale:
  - (a) shall store the iodine matrix so that the public does not have access to the iodine matrix without the direct assistance or intervention of a retail employee;
  - (b) shall keep a record, which may consist of sales receipts, of each person purchasing iodine matrix; and
  - (c) may, if necessary to ascertain the identity of the purchaser, ask for proof of identification from the purchaser.
- (5) A person engaging in a regulated transaction under Subsection (2) is guilty of a class B misdemeanor if the person, under circumstances not amounting to a violation of Subsection 58-37d-4(1)(c), offers to sell, sells, or distributes an iodine matrix to a person who:
  - (a) does not present a prescription or is not engaged in animal husbandry, as required under Subsection (2); or
  - (b) is not excepted under Subsection (7).
- (6) A person is guilty of a class A misdemeanor who, under circumstances not amounting to a violation of Subsection 58-37c-3(11)(k) or 58-37d-4(1)(a):
  - (a) possesses an iodine matrix without proof of obtaining the solution in compliance with Subsection (2); or
  - (b) offers to sell, sells, or distributes an iodine matrix in violation of Subsection (2).
- (7) Subsection (6)(a) does not apply to:
  - (a) a chemistry or chemistry-related laboratory maintained by:
    - (i) a public or private regularly established secondary school; or
    - (ii) a public or private institution of higher education that is accredited by a regional or national accrediting agency recognized by the United States Department of Education;
  - (b) a veterinarian licensed to practice under Title 58, Chapter 28, Veterinary Practice Act;
  - (c) a general acute hospital; or
  - (d) a veterinarian, physician, pharmacist, retail distributor, wholesaler, manufacturer, warehouseman, or common carrier, or an agent of any of these persons who possesses an iodine matrix in the regular course of lawful business activities.

Amended by Chapter 262, 2013 General Session

Amended by Chapter 413, 2013 General Session